

Appendix A to OAR 437-001-0706 Instructions for Recording Health Care Assaults

(A)	<p><i>Case number</i> This is a unique sequential number that identifies this case.</p>
(B)	<p><i>Location (include address)</i> If all incidents occur at the same physical site, then this information can be entered once. If, as the case with distributed reporting, there are multiple sites (such as home care sites) reporting on a common Log, then enter identifying information for the side where this incident occurred, including street address.</p>
(C)	<p><i>H/S/M (H - hospital, S - surgical center, M - home setting)</i> Enter the code indicating the type of facility.</p>
(D)	<p><i>Date of incident</i></p>
(E)	<p><i>Time of incident</i></p>
(F)	<p><i>Specific location where incident occurred</i> Enter a code that most closely matches the type of location where the incident occurred, from the following list: AD - admitting/triage CO - corridor/hallway/stairwell/elevator BA - bathroom EN - entrance/exit/restricted entry LO - lobby/waiting room NU - nurse's station/pod area PA - patient room TR - treatment room CS - common space (cafeteria, recreation room, etc.) O - other (enter text to describe this location)</p>
(G)	<p><i>Floor number where incident occurred</i></p>
(H)	<p><i>Name of employee assaulted</i> Enter the name of the employee assaulted.</p>
(I)	<p><i>Job title of this employee</i> Enter the job title of the employee assaulted; please select a code from the following list: N - RN (registered nurse), LPN (licensed practical nurse) HA - CNA (certified nursing assistant), nurse's aide, health aide, orderly PH - physician, physician's assistant, nurse practitioner PT - pharmacist TE - technician, technologist R - receptionist ES - housekeeping, maintenance S - security SW - social worker HH - home health aide TT - physical therapist, occupational therapist, speech therapist O - other (enter job description)</p>

(J)

Department or unit assignment

Enter the home department or ward assignment for the employee:

IN - intake

ER - emergency

LA - laboratory

OB - obstetrics/gynecology

ON - oncology

PD - pediatrics

PH - pharmacy

PC - primary care/medical clinic

BH - behavioral health/psych units in acute care

RA - radiology/diagnostic imaging

RE - rehabilitation medicine

SU - surgery/operating room

RC - recovery

IC - intensive care/critical care

MS - medical/surgical unit

NE - neurology

CA - cardiac care

FL - float staff (additional designation, employee is working in an alternate location)

O - other

Note: If an employee is float staff (sometimes called "float pool" or "float/per diem") record the additional code FL, as well as the department/unit assignment.

(K)

Status of assailant (P - patient/general, BH - behavioral health patient, V - visitor, E - employee, O - other)

Enter the code corresponding to the status of the assailant (person assaulting the employee).

BH would apply to patients diagnosed as behavioral health, whether currently in a behavioral health unit or acute care unit.

(L)

Assailment action

Enter the code corresponding to the action taken by the assailant (multiple selections ok).

B - biting

GR - grabbing, pinching, scratching

HK - hitting, kicking, beating

PS - pushing, shoving

TR - throwing objects

ST - stabbing

SH - shooting

SR - sexual assault, rape

O - other (enter text to describe)

(M)	<p><i>Possible cause</i> Enter the code that most closely corresponds to the reason for the attack. BH - behavioral health AN - anesthesia recovery M - medication issue Include drugs and alcohol WD - withdrawal symptoms SN - systemic/neurological disorders Underlying physical conditions that can result in erratic behavior, including diabetes, head trauma, epilepsy, dementia, and other. EM - emotional issue Angry, distraught, other strong emotions H - history of violent behavior O - other (enter text to describe) Note: even if more than one may apply, please determine the cause that most directly contributed to this incident. Other causes can be noted in the Comments field.</p>
(N)	<p><i>Result of Assaultive Behavior</i> Place a checkmark in the column that reflects the injury resulting from the assault - enter one check reflecting the most serious injury for this incident. (1) Mild soreness, surface abrasions, scratches, or small bruises (2) Major soreness, cuts, or large bruises (3) Severe laceration, bone fracture, or head injury (4) Loss of limb or death</p>
(O)	<p><i>Weapon</i> Enter a code reflecting the type of weapon used, if any. G - gun K - knife B - bar, rod, club, stick DW - door, window, floor, wall F - furniture MI - medical instrument or equipment FO - food, utensils, meal tray AB - assailant's body (assaulted by assailant's hands, feet, other body parts) BF - bodily fluids O - other (enter type of weapon used)</p>
(P)	<p><i>Number of employees present (in addition to victim)</i> Enter the number of other employees that witnessed the incident (enter 0 if no one else was present).</p>

(Q)	<p><i>Response</i></p> <p>Enter the code that most closely reflects the response taken by the employee and others when the incident occurred (multiple selections ok).</p> <p>SR - seclusion or physical restraint</p> <p>PRN - medication administered as necessary</p> <p>SM - self-defense moves</p> <p>D - de-escalate by talking down</p> <p>B - call for backup</p> <p> Calls may be verbal or electronic (phone, pager, or other).</p> <p>LE - reported to law enforcement</p> <p>E - exit the scene</p> <p>O - other (describe the response if none of the codes reflect the action taken)</p> <p>Note immediate response, even if subsequent action (e.g., procedural or policy changes by the facility) led to additional interventions.</p>
(R)	<p><i>Comments</i></p> <p>Enter any additional information that will help describe this incident or the actions taken.</p>

Appendix B to OAR 437-001-0706 Safety of Health Care Employees

654.412 Definitions for ORS 654.412 to 654.423 As used in ORS 654.412 to 654.423:

- (1) "Assault" means intentionally, knowingly or recklessly causing physical injury.
- (2) "Health care employer" means:
 - (a) An ambulatory surgical center as defined in ORS 442.015.
 - (b) A hospital as defined in ORS 442.015.
- (3) "Home health care services" means items or services furnished to a patient by an employee of a health care employer in a place of temporary or permanent residence used as the patient's home. [2007 c.397 §2]

654.414 Duties of health care employer; security and safety assessment; assault prevention program; requirements

- (1) A health care employer shall:
 - (a) Conduct periodic security and safety assessments to identify existing or potential hazards for assaults committed against employees;
 - (b) Develop and implement an assault prevention and protection program for employees based on assessments conducted under paragraph (a) of this subsection; and
 - (c) Provide assault prevention and protection training on a regular and ongoing basis for employees.
- (2) An assessment conducted under subsection (1)(a) of this section shall include, but need not be limited to:
 - (a) A measure of the frequency of assaults committed against employees that occur on the premises of a health care employer or in the home of a patient receiving home health care services during the preceding five years or for the years that records are available if fewer than five years of records are available; and
 - (b) An identification of the causes and consequences of assaults against employees.
- (3) An assault prevention and protection program developed and implemented by a health care employer under subsection (1)(b) of this section shall be based on an assessment conducted under subsection (1)(a) of this section and shall address security considerations related to the following:
 - (a) Physical attributes of the health care setting;

- (b) Staffing plans, including security staffing;
 - (c) Personnel policies;
 - (d) First aid and emergency procedures;
 - (e) Procedures for reporting assaults; and
 - (f) Education and training for employees.
- (4)
- (a) Assault prevention and protection training required under subsection (1)(c) of this section shall address the following topics:
 - (A) General safety and personal safety procedures;
 - (B) Escalation cycles for assaultive behaviors;
 - (C) Factors that predict assaultive behaviors;
 - (D) Techniques for obtaining medical history from a patient with assaultive behavior;
 - (E) Verbal and physical techniques to de-escalate and minimize assaultive behaviors;
 - (F) Strategies for avoiding physical harm and minimizing use of restraints;
 - (G) Restraint techniques consistent with regulatory requirements;
 - (H) Self-defense, including:
 - (i) The amount of physical force that is reasonably necessary to protect the employee or a third person from assault; and
 - (ii) The use of least restrictive procedures necessary under the circumstances, in accordance with an approved behavior management plan, and any other methods of response approved by the health care employer;
 - (I) Procedures for documenting and reporting incidents involving assaultive behaviors;
 - (J) Programs for post-incident counseling and follow-up;
 - (K) Resources available to employees for coping with assaults; and
 - (L) The health care employer's workplace assault prevention and protection program.
 - (b) A health care employer shall provide assault prevention and protection training to a new employee within 90 days of the employee's initial hiring date.
 - (c) A health care employer may use classes, video recordings, brochures, verbal or written training or other training that the employer determines to be appropriate, based on an employee's job duties, under the assault prevention and protection program developed by the employer. [2007 c.397 §3]

654.415 [Repealed by 1973 c.833 §48]

654.416 Required records of assaults against employees; contents; rules

- (1) A health care employer shall maintain a record of assaults committed against employees that occur on the premises of the health care employer or in the home of a patient receiving home health care services. The record shall include, but need not be limited to, the following:
 - (a) The name and address of the premises on which each assault occurred;
 - (b) The date, time and specific location where the assault occurred;
 - (c) The name, job title and department or ward assignment of the employee who was assaulted;
 - (d) A description of the person who committed the assault as a patient, visitor, employee or other category;
 - (e) A description of the assaultive behavior as:
 - (A) An assault with mild soreness, surface abrasions, scratches or small bruises;
 - (B) An assault with major soreness, cuts or large bruises;
 - (C) An assault with severe lacerations, a bone fracture or a head injury; or
 - (D) An assault with loss of limb or death;
 - (f) An identification of the physical injury;
 - (g) A description of any weapon used;
 - (h) The number of employees in the immediate area of the assault when it occurred; and

(i) A description of actions taken by the employees and the health care employer in response to the assault.

(2) A health care employer shall maintain the record of assaults described in subsection (1) of this section for no fewer than five years following a reported assault.

(3) The Director of the Department of Consumer and Business Services shall adopt by rule a common recording form for the purposes of this section. [2007 c.397 §4]

654.418 Protection of employee of health care employer after assault by patient. If a health care employer directs an employee who has been assaulted by a patient on the premises of the health care employer to provide further treatment to the patient, the employee may request that a second employee accompany the employee when treating the patient. If the health care employer declines the employee's request, the health care employer may not require the employee to treat the patient. [2007 c.397 §5]

654.420 [Repealed by 1973 c.833 §48]

654.421 Refusal to treat certain patients by home health care employee

(1) An employee who provides home health care services may refuse to treat a patient unless accompanied by a second employee if, based on the patient's past behavior or physical or mental condition, the employee believes that the patient may assault the employee.

(2) An employee who provides home health care services may refuse to treat a patient unless the employee is equipped with a communication device that allows the employee to transmit one-way or two-way messages indicating that the employee is being assaulted. [2007 c.397 §6]

654.423 Use of physical force by home health care employee in self-defense against assault

(1) A health care employer may not impose sanctions against an employee who used physical force in self-defense against an assault if the health care employer finds that the employee:

(a) Was acting in self-defense in response to the use or imminent use of physical force;

(b) Used an amount of physical force that was reasonably necessary to protect the employee or a third person from assault; and

(c) Used the least restrictive procedures necessary under the circumstances, in accordance with an approved behavior management plan, or other methods of response approved by the health care employer.

(2) As used in this section, "self-defense" means the use of physical force upon another person in self-defense or to defend a third person. [2007 c.397 §7]